



JUDICIAL STANDARDS COMMISSION
STATE OF NORTH CAROLINA

FORMAL ADVISORY OPINION: 2010-02

March 19, 2010

QUESTION:

May a judge purchase an advertisement in the program for a NAACP Freedom Fund Banquet, where the advertisement consists of an enlarged copy of the judge's business card and a congratulatory remark?

COMMISSION CONCLUSION:

The Judicial Standards Commission determined the judge may purchase the advertisement, as described, in the program for an organization's fund-raising banquet.

DISCUSSION:

Canon 5B of the Code of Judicial Conduct allows judges to participate in civic and charitable activities so long as such does "... not reflect adversely upon the judge's impartiality or interfere with the performance of the judge's judicial duties." Subparagraph (2) also allows a judge to be listed as a contributor on a fund raising invitation, however a judge may not actively assist in raising funds.

The purchase of such an advertisement does not constitute active assistance in raising funds. The program is distributed at the dinner and the inclusion of the judge's advertisement, as described, could not reasonably be deemed as a means to encourage or put pressure on others to contribute to the organization.

The content of the advertisement does not reflect adversely upon the judge's impartiality, interfere with the performance of the judge's judicial duties, nor lend the prestige of the judge's office to advance the private interests of the organization.

Reference:

North Carolina Code of Judicial Conduct
Canon 2B
Canon 5B(2)